



November 22, 2017

Mr. Thomas Stevens
First Secretary
Mission of Belgium to the United Nations in Geneva
Rue de Moillebeau 58
CH-1209 Geneva 10, Switzerland
Thomas.stevens@diplobel.fed.be

**Civil Society Recommendations for the Outcomes Document of the Regional Meeting of Europe, North America, and Central Asia on the International Decade for People of African Descent
United Nations Geneva, Switzerland 23-24 November 2017**

Dear Mr. Stevens and Members of the Committee,

On behalf of the undersigned, a coalition of representatives of civil society organizations from the United States and various parts of Europe, who are all present at the regional meeting, we write to ensure the goals of the Decade – *to Promote respect, protection and fulfilment of all human rights and fundamental freedoms by people of African Descent, as recognized in the [Universal Declaration of Human Rights](#); Promote a greater knowledge of and respect for the diverse heritage, culture and contribution of people of African descent to the development of societies; Adopt and strengthen national, regional and international legal frameworks according to the [Durban Declaration and Programme of Action](#) and the [International Convention on the Elimination of All Forms of Racial Discrimination](#) and to ensure their full and effective implementation* – are fully implemented within our respective countries between now and its conclusion in 2024. In our view, in order for the goals of the decade to be met, Member States must be held accountable for implementation. We write to offer the following recommendations to the United Nations and its member states that, if adopted, would help ensure the goals of the Decade are fully implemented.

- 1. The new *United Nations Declaration on the Promotion and Full Respect of Human Rights of People of African Descent* – which the Human Rights Council has decided to undertake – should: (a) be renamed to include Africans in addition to people of African descent and therefore be called the *United Nations Declaration on the Promotion and Full Respect of Human Rights of African Peoples* (or, in the words of the *Durban Declaration and Programme of Action*: “Africans and people of African descent”); and (b) have a drafting process that provides ample opportunity for civil society organizations to provide recommendations (while ensuring that multiple forms of discrimination are considered such as **homo/transphobia, sexism, and ableism**). Regarding (a), Anti-black racism or “Afrophobia” (as it has been termed by the UN) is global in scope and in general *racial discrimination* against people of African descent and Africans cannot be meaningfully separated. People of African descent and Africans share similar histories of racial discrimination and stereotyping, violation of human rights, colonialism and brute exploitation and continue to suffer from their continued legacies. Regarding (b), it should be kept in mind that a Declaration is an instrument for (Africans and) people of African descent and that the inclusion of civil society in the drafting process is key.**

2. **An international academic UN Decade report on the situations of African peoples (including people of African descent and Africans) around the world with recommendations to the UN and Member States.** The OHCHR and/or UNESCO should, in collaboration with an international cohort of academics from a variety of disciplines and with room for input from civil society and grassroots/community based organizations, produce an international OHCHR and/or UNESCO report on structural racial discrimination facing people of African descent and Africans around the world, its historical roots in colonialism and enslavement, ensuring an intersectional analysis of grounds of discrimination (including, for example, gender, sexuality, disability), and with a list of recommendations to the UN and Member States. Besides ensuring an intersectional analysis of the forms of discrimination endured by people of African descent, the report should include the Sustainable Development Goals (SDGs) as measures.
3. **The High Commissioner and the Secretary General should (a) call on Member States to officially mark the Decade and implement its Program Res 69/16 (for example, by issuing an Open Statement about the international need for it), and (b) call on Member States to make financial contributions to the Decade – thus far only Russia has done so – as well as collaborate with civil society and grassroots activists to seek earmarked funds from philanthropic organizations.**
4. **The International Forum for People of African Descent, which is a part of the UN Resolution 69/16 and has been approved by the Human Rights Council, should a) be approved by the General Assembly; b) be planned and developed with input from civil society, with the view of establishing, at the end of the Decade, a Permanent Forum for People of African Descent at the UN Headquarters in New York City; c) be held at the UN Headquarters in New York City or in some other part of the world with a sizable African Descent population and resources should be earmarked to support participation of civil society and grassroots/community activists; d) be developed with a goal of UN Member States presenting national plans of action to address structural racism in their respective countries.**
5. **An International Forum should be planned for summer 2019 at the UN Headquarters in New York, in connection with the High-Level Political Forum on Sustainable Development – 2019 focuses on the theme, “[Empowering people and ensuring inclusiveness and equality](#)” (and the SDGs 3, 4, 8, 10, 13, 16, and 17).** This would help highlight the need to address the promotion and full protection of human rights of Africans and People of African descent in the context of achieving the Sustainable Development Goals.
6. **The Decade and Resolution 69/16 should be implemented at the UN level by producing one or two reports on the legacies of enslavement and colonialism in the world – including at the UN level – and especially with recommendations to Member States and the UN regarding how to halt and reverse their ongoing legacies (for instance, by encouraging measures of reparatory justice and adding human rights provisions/instruments that address such legacies).** The Office of the High Commissioner for Human Rights (OHCHR) can and should – in accordance with §17i-k in Resolution 69/16 and the *Durban Declaration and Programme of Action* (DDPA) – find ways to “take appropriate and effective measures to halt and reverse the lasting consequences of” the transatlantic trade in and enslavement of Africans, colonialism, systemic racial discrimination (apartheid), crimes against humanity, genocide, and past tragedies. Keeping in mind, as the DDPA does, that “colonialism has led to racism, racial discrimination,

xenophobia and related intolerance,” that Africans were victims of colonialism and continue to be victims of its consequences and “that the effects and persistence of these structures and practices [of colonialism] have been among the factors contributing to lasting social and economic inequalities in many parts of the world today.” **In view of this, we recommend the OHCHR to do the following:**

- a) **Produce a report on colonial legacies and continuations of structural racial discrimination and inequality in the world today – including the UN – especially as they impact African peoples broadly speaking, with an intersectional analysis of grounds of discrimination (including, for example, gender, sexuality, disability), and with recommendations to the UN and Member States on how to address them (e.g. through reparatory justice and other means);**
 - b) **Encourage UNESCO to follow up on its [Slave Route Project](#) by producing a report, with an intersectional analysis of grounds of discrimination (including, for example, gender, sexuality, disability), that recognizes the adverse legacies of enslavement and the systemic racial discrimination of colonialism on the present and how Member States can and should take appropriate and effective measures to halt and reverse the lasting consequences of these.**
7. **The OHCHR should take further steps to address the humanitarian disaster in the Mediterranean Sea, which mostly affects Africans with thousands of deaths each year, and which is [likely to dramatically increase in the future with the increase of droughts in East Africa](#) (and other parts of Africa, too). Recognizing too that en route to Europe and the perilous journey across the Mediterranean, Africans often are victims of serious human rights violations – including human trafficking, kidnapping, rape, enslavement, torture, and other cruel, inhuman, or degrading treatment. This humanitarian crisis speaks loudly about racially demarcated global injustices in the impacts of climate change, asylum, and other migration rights, and access to even the most basic resources. It should therefore be seen as representing an international crisis and responsibility. **In view of this, we recommend the OHCHR:****
- a) **Promote safe access to the asylum procedure in the European Union with [humanitarian visas to the European Union](#);**
 - b) **Promote safe and orderly managed migration pathways, including but not limited to circular migration. Acknowledgement that migration is an effective and positive means of adapting to climate change, and promoting this concept within UNFCCC and related processes;**
 - c) **Call on the European Union to cease externalizing responsibility for management of immigration control to African countries, which contributes significantly to the massive human rights violations currently taking place in Libya, Algeria, and Sudan and along migration routes;**
 - d) **The EU Member States as destination and transit countries must ensure the full respect of their *non refoulement* obligations under international law of victims of human trafficking, kidnapping, enslavement, torture, and other cruel, inhuman,**



or degrading treatment with special attention to women and girls ensuring appropriate assistance, effective protection, avoiding migration detention, and forced removal;

- e) **Call on the United States to promote and implement a pathway to citizenship for millions of undocumented immigrants living in the United States from various African nations, the Caribbean, and Latin America. Promote maintaining temporary protected status for the more than fifty thousand Haitian immigrants living in the United States;**
 - f) **Engage with the African Union on the promotion and implementation of the 1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (*Kampala Convention*), in particular in line with the respective 50th and 10th anniversaries of the instruments;**
 - g) **Address the root causes of displacement, including efforts towards attaining the 2030 sustainable development goals as well as facilitating conflict reduction;**
 - h) **Address the “afrophobia,” anti-black and other forms of racism and xenophobia, which contribute to the anti-immigrant sentiment that is increasing in many societies that host refugees and migrants.**
8. **The UN should address racial profiling, police brutality, state sanctioned violence (especially the deaths of individuals in and out of police custody), impunity, and lack of equality and fairness before the law especially as it affects people of African descent by giving the Working Group of Experts on People of African Descent (WGEPAD) extra resources to receive complaints, monitor, and report to the UN and its Members on these issues.**
9. **The UN should support the formation of an international Civil Society Network for People of African descent with an online platform, preferably in collaboration with the African Union (AU), to support its initiative to make the African Diaspora its 6th Region.** The UN should support the formation of the Network by helping to raise funds for it and consulting with civil society organizations and grassroots/community based organizations on how it and its platform/website can and should be included in or associated with the UN. The online platform/website should include a searchable international database on Civil Society Organizations (CSOs), community based grassroots organizations (even if they lack the legal standing of registered CSOs) activists, researchers and policy makers – with basic information about the organization, interests, priorities, and contact information. It could have instructional and awareness raising information in the form of both videos and free downloadable written material and make it possible for members to propose international (or national) campaigns for the Network or to be supported by the Network or develop smaller networks (of civil society organizations, including grassroots organizations without a legal standing, or even individual community organizers) within the Network around special interests such as community empowerment, skill building, after school or mentoring programs. The online platform could be multilingual in English, Spanish, French, German, Swahili, and Portuguese. It could either be



connected to the UN (for example, to the current Decade website and/or the new PAD Forum, which will begin in Geneva next year) and/or the AU. However, it should be developed in collaboration with the AU to reflect its 6th Region initiative and the [AU Charter for African Cultural Renaissance](#), which encourages the establishment of “Africa Houses” globally, and representation of the AU’s Sixth Region (the African Diaspora) in AU structures. This Network should also have a civil society “Board” to give it direction and identify appropriate content for inclusion on the website.

10. In line with the Programme of Activities for implementation of the Decade and Durbin Declaration, the UN should encourage and request Member States to draft and implement national plans of action against structural racial discrimination with the aim of promoting the rights of People of African Descent in their respective countries. The plans of action should have measurable goals and objectives that are aligned with the overarching goals and objectives of the Decade. The plans of action should be developed in consultation with civil society organizations and be tailored to meet the identified needs of People of African Descent in the country. The Declaration should specify that all such action plans should be drafted in accordance with the OHCHR Guide “Developing National Action Plans Against Racism” and include:

- a) **Concrete policies to address structural racial discrimination;**
- b) **Mandates to collect equality data on race and ethnicity to document the situation of people African Descent on key indicators in areas of criminal justice, housing, education, employment, social welfare, healthcare, etc.;**
- c) **Recognition of the continuing legacies of colonialism and the transatlantic slave trade on people of African Descent;**
- d) **Mandate reviews of the situation of people of African descent in the criminal justice system and adopt concrete policy solutions to address problems outlined;**
- e) **Recognition of the need for reparatory justice and call for implementation;**
- f) **A plan for sustainable funding for national civil society organizations and grassroots/community activists led by people of African descent.**

In conclusion, the decade calls on states to “take concrete and practical steps through the adoption and effective implementation of national and international legal frameworks, policies and programmes to combat racism, racial discrimination, xenophobia and related intolerance faced by people of African descent, taking into account the particular situation of women, girls and young males in the areas of recognition, justice, development and multi or aggravated discrimination,” and it is our collective belief that adoption of these 10 recommendations is a necessary step towards ensuring that the goals and objectives of the Decade are accomplished by United Nations and its member states. If you have questions or would like more information, please contact Dr. Michael McEachrane (michael.mceachrane@rwi.lu.se) and Sakira Cook (cook@civilrights.org).

Sincerely,

[Black Alliance for Just Immigration \(BAJI\)](#)
[Black Lives Matter UK](#)
[Black Women’s Blueprint](#)
[Critical Race and Ethnicity Research Cluster, Manchester Metropolitan University](#)
[Cross Culture International Foundation](#)
[European Network Against Racism \(ENAR\)](#)



[European Network of People of African Descent \(ENPAD\)](#)
[European Race & Imagery Foundation \(ERIF\)](#)
[Frantz Fanon Foundation](#)
[The Lawyers' Committee for Civil Rights Under Law](#)
[The Leadership Conference Education Fund](#)
[Making Education a Priority \(MEaP\)](#)
[Movement for Black Lives Policy Table](#)
[Movimiento Por La Paz-MPDL](#)
[Pan African Movement for Justice](#)
[Sudanese Migrant Association](#)
[United Families & Friends Campaign \(UFFC\)](#)
[US Human Rights Network \(USHRN\)](#)

Cc: Office of the High Commissioner for Human Rights, Working Group of Experts on People of African Descent, Intergovernmental Working Group for the Effective Implementation of the Durban Declaration and Programme of Action

ⁱ <http://www.ohchr.org/Documents/Publications/HR-PUB-13-03.pdf>